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October 12, 2023

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**VIA ECF**

Honorable Jessica G. L. Clarke  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

Re: *DRC LC Ventures, LLC v. Dalpour*, 23 Civ. 7827 (JGLC)

Dear Judge Clarke:

We represent Plaintiffs in the above-referenced matter and write with respect to Defendants' partial motion to dismiss, which was filed on October 5, 2023, and Defendants' lawyers' motion to withdraw and for a 30-day stay, which was filed on October 12, 2023. (Dkts. 16 and 19).

With respect to Defendants' partial motion to dismiss (Dkt. 16), Plaintiffs write pursuant to Rule 4(e) of the Court's Individual Rules and Practices to notify the Court and Defendants that they intend to file an amended complaint on or before October 26, 2023. *See* Fed. R. Civ. P. 15(a)(1)(B) (permitting first amendment "as a matter of course" within 21 days of receiving a motion to dismiss). Defendants' partial motion to dismiss, which does not seek dismissal of Plaintiffs' breach of contract claims or claims for declaratory relief with respect to Defendants' personal guaranties and pledges, is focused primarily on Plaintiffs' two fraud claims. The original complaint explained in exhaustive detail how Defendants committed fraud by knowingly making misrepresentations about when and how Plaintiffs would be repaid, which induced Plaintiffs to delay their pursuit of this lawsuit. Plaintiffs intend to amend the complaint to add new facts that they have learned since filing their original complaint, including that Defendant fraudulently pledged the same assets as security to Plaintiffs that he had previously pledged to other investors.

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With respect to Defendants' lawyers' motion for a 30-day stay (Dkt. 19), unless the Court instructs otherwise, Plaintiffs intend to submit a brief in opposition to the stay application on or before October 25, 2023. *See* Local Civil Rule 6.1(b) (allowing 14 days for service of opposing briefs for non-discovery motions).

Respectfully,

*S/ Peter M. Skinner*  
Peter M. Skinner

cc: James P. Chou  
Marshall Dworkin  
*Counsel for Defendants*